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1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK

3 UNITED STATES OF AMERICA,

4 v.

14 CR 0808 (GHW)

5 KAREN ALAMEDDINE,

6 Defendant.

7 -----x
8 New York, N.Y.
9 December 19, 2014
2:39 p.m.

10 Before:

11 HON. GREGORY H. WOODS

12 District Judge

13 APPEARANCES

14 PREET BHARARA

15 United States Attorney for the
16 Southern District of New York
17 STANLEY J. OKULA
Assistant United States Attorney

18 FEDERAL DEFENDERS

19 Attorney for Defendant
ROLAND THAU

20 ALSO PRESENT: JOSHUA DRATEL, C.J.A.

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(In open court; case called)

MR. OKULA: Good afternoon, your Honor, Stanley Okula for the United States.

THE COURT: Good afternoon.

MR. THAU: Good afternoon, your Honor.

Roland Thau for Ms. Alameddine.

MR. DRATEL: Good afternoon, your Honor.

Josh Dratel. I'm CJA today.

THE COURT: Thank you very much. Good afternoon.

Good afternoon, Ms. Alameddine. Thank you all for being here.

Ms. Alameddine, as you know, you've been named in a seven-count indictment. Your case has been assigned to me. I'm Judge Woods. The purpose of this proceeding is to do a number of things. First to make sure that you have a copy of the indictment. Second, to inform you of the charges against you. Third, discuss your plea. And fourth, to discuss what happens next.

Now before I get to any of those things I want to talk about your letter to me and the question of appointment of counsel for you.

I understand that at your initial appearance before Judge Maas Judge Maas appointed Mr. Thau to represent you. Judge Maas also ordered that you file one of these financial affidavits by January 5. The purpose of the affidavit is to

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1 make sure that you're entitled to free counsel. And I'm just
2 going to ask -- I'm going to take the opportunity now to remind
3 you of Judge Maas's order to complete one of these by
4 January 5, so if you can do that I'd appreciate it.

5 MR. THAU: Could I address that issue, your Honor?

6 THE COURT: Please, Mr. Thau.

7 MR. THAU: Your Honor, I was present on November 3
8 when Ms. Alameddine was presented before Judge Maas. And the
9 reason no such financial affidavit was then handed up to the
10 Court was that the defendant's financial wherewithal is in
11 doubt. And indeed it was our suspicion that the government
12 might have seized some of the assets or put some kind of hold
13 on them. And, therefore, we're really not in a position either
14 then or indeed two days later to file another affidavit. And
15 so that we haven't.

16 And very frankly, the fact that the December 5 date
17 passed --

18 THE COURT: January 5, I think.

19 MR. THAU: I'm sorry?

20 THE COURT: I think it was January 5.

21 MR. THAU: Excuse me. Oh, January 5. I apologize.
22 So we're not in default yet. I was about to take the wrap for
23 having failed to comply with that order.

24 So, therefore, forgive me for having wasted your time
25 in trying to explain something that didn't need any

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1 explanation.

2 THE COURT: No. That's fine. I appreciate any
3 explanation. I'm curious about the comment regarding inability
4 to determine the extent of Ms. Alameddine's assets due to a
5 potential seizure by the government.

6 Mr. Okula, can I just ask you is that at issue here?
7 Has the government seized some of her assets?

8 MR. OKULA: There is no formal restraint in place,
9 your Honor. Frequently when we anticipate getting seizure
10 warrants we write letters of request to a financial institution
11 informing them that it is our belief, based on a tracing
12 analysis, that they hold assets that are subject to potential
13 seizure. And truth be told, it's almost invariably our
14 experience that when we send essentially a warning letter of
15 that to a financial institution they typically hold the assets
16 at that point.

17 There is one financial institution by the name of
18 Umpqua U-M-P-Q-U-A that we've done tracing analysis with
19 respect to and that we've notified that we intend to serve them
20 with seizure warrants. But beyond that, your Honor, there are
21 no other financial institutions to my knowledge that have
22 received either formal or informal either notices or restraints
23 with respect to assets.

24 I would just add, your Honor, that the government's
25 intention or steps taken to effectuate seizures, of course,

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1 doesn't have really anything to do with the defendant listing
2 what those assets are. The fact that they may be subject to
3 restraint might ultimately play into the analysis about whether
4 she may make use of certain of assets further on down the road.
5 I'm happy to speak it about it then. I just make that
6 observation.

7 MR. THAU: May I amplify on what has just been said?

8 THE COURT: Please.

9 MR. THAU: My review of either the complaint or the
10 indictment or both suggests to me that a fairly substantial
11 number of valuable jewelry was, in fact, taken from the
12 defendant and is being held by the government. Now, if we look
13 at the typical financial affidavits which the defendant is
14 expected to sign, you'll note that it calls not only for monies
15 that might be on deposit in banks but as well for the
16 declaration of valuable properties. And I believe that the
17 government will concede that much of this jewelry was actually
18 seized and kept, therefore, not available.

19 MR. OKULA: I can confirm that, your Honor, that in
20 connection with her arrest in Boston we are still in possession
21 of the luggage and the jewelry that attended her arrest.

22 THE COURT: Thank you.

23 I thank you for your comments, Mr. Thau. I think that
24 Ms. Alameddine must complete this affidavit and comply with the
25 order. The affidavit asks that she identify whether or not she

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1 owns any valuable property and must -- you're conceding, and
2 you're not, that she does not own the assets that are in the
3 custody of the United States. I think that you can still
4 respond and complete this affidavit. I'll review it when you
5 submit it to me. And you do have some more time. I just
6 wanted to make sure that you had an opportunity to -- I wanted
7 to take this opportunity to flag that obligation for you.

8 Let me just say, Ms. Alameddine, before I give you an
9 opportunity to speak or speak through your lawyer. I have read
10 your letter requesting reassignment of counsel. I you're
11 entitled to free counsel, one of the great things about our
12 country. But you should know that you're not entitled to
13 necessarily the counsel of your choice.

14 THE DEFENDANT: Correct.

15 THE COURT: So what I wanted to do and the reason why
16 there's another potential alternative lawyer here. I will give
17 you -- I will reassign another lawyer to you now, I'll
18 telegraph what I'm willing to do. But I also wanted to ask
19 whether or not it would be -- whether or not you would like to
20 take the opportunity to discuss this with Mr. Thau. I could
21 provide him, with your permission, with a copy of the letter
22 that you've given me to see whether or not you can proceed with
23 him. He's a competent and capable attorney. And these are
24 stressful times to interact with an attorney for the first
25 time. And I just wanted to give you an opportunity to discuss

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1 the issues that you raised in your letter to me with him before
2 I assign another lawyer to you. So I just want to give you
3 that opportunity. And in the service of that opportunity I'd
4 like to provide Mr. Thau a copy of the letter that you gave to
5 me, if that's okay, so that he can review it and have an
6 informed conversation with you about the issues that you
7 raised.

8 THE DEFENDANT: That's fine.

9 THE COURT: Thank you.

10 MR. THAU: Your Honor, on this topic, may it be
11 understood that of course Ms. Alameddine appreciates the
12 courtesy you're extending to her but at the same time it's of
13 some importance to me that whatever little conference we are
14 going to have in a moment it not be deemed to be any pressure
15 on my part to try to convince this lady to keep me as counsel.

16 THE COURT: Absolutely. And I don't want -- thank
17 you, Mr. Thau. And I don't want to -- that's why I telegraphed
18 in advance that I've asked an alternative counsel to come. He
19 is sitting here in the courtroom and available to you. I'll
20 happily replace Mr. Thau. But it's -- given the nature of this
21 process, I thought that it would be fair to give you that
22 opportunity before I took that step.

23 What I thought I would do, although it's unusual, I'm
24 going to hand up to Mr. Thau the copy of the letter. I'm going
25 to take a recess to allow you to have the opportunity to have

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1 that conversation with Mr. Thau in the back area here and I'm
2 going to ask for my deputy to call me back when you're ready to
3 proceed and then we'll go forward. Please just let me know how
4 much time you want and need and I'll come back when you're
5 ready. Okay.

6 MR. THAU: One more unorthodox suggestion --
7 specializing in unorthodoxy. Since Mr. Dratel, a very
8 experienced lawyer is here; and if it's okay with you and with
9 him, I would suggest that the defendant and the two of us
10 perhaps confer together so that she might benefit from his
11 wisdom and his insight that he's providing. He is willing to
12 do that -- and I haven't discussed that with him, Mr. Dratel
13 because I didn't know.

14 MR. DRATEL: That's fine.

15 MR. THAU: Is that okay?

16 MR. DRATEL: That's fine with me.

17 It's really, I guess, Ms. Alameddine's choice if she
18 wants to meet with us at the same time; serially; at the same
19 time and then serially; whatever she prefers.

20 THE COURT: Here is what I'm going to do.

21 Mr. Okula, do you have any objection to that proposal?

22 MR. OKULA: None at all.

23 THE COURT: I'm going to step down and let you discuss
24 that with Ms. Alameddine; and you, Ms. Alameddine, can make the
25 choice that you think is in your best interest.

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1 (Recess)

2 THE COURT: We took a recess to allow Ms. Alameddine
3 an opportunity to discuss how she wishes to proceed with this
4 case with Mr. Thau and I believe also Mr. Dratel. Can you tell
5 me what we're doing.

6 MR. THAU: Your Honor, Ms. Alameddine will give you
7 her answer herself. We don't know what it is yet.

8 THE COURT: Okay. Thank you.

9 MR. THAU: We'll learn it together with you.

10 THE DEFENDANT: Your Honor, though I feel that
11 Mr. Thau is a very good attorney, I'm sure he is, my family has
12 looked up information about him, but I do feel that I need to
13 go with what's best for me at this time and my feelings; so I'd
14 like to go with Mr. Dratel if I could, please.

15 THE COURT: That's fine. Thank you very much. Thank
16 you for that. And I think it's, at this stage in the process
17 there's -- it's easy for me to substitute counsel. So don't
18 feel any hesitancy in doing it.

19 Mr. Dratel, are you willing to assume representation
20 of Ms. Alameddine in this matter?

21 MR. DRATEL: Yes, I am, your Honor.

22 THE COURT: Mr. Thau, do you wish to withdraw as
23 counsel for Ms. Alameddine?

24 MR. THAU: Yes, if you please, your Honor.

25 THE COURT: You're excused.

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1 MR. THAU: Now, your Honor, I had prepared ahead of
2 time a copy of my entire file, which I turn over to Mr. Dratel
3 and I understand the government has a CD which it was prepared
4 to give me and which it will now, I assume, give my successor.

5 THE COURT: Thank you. We'll handle that momentary.

6 MR. DRATEL: Mr. Okula has actually given me the CD.
7 I have possession of it.

8 THE COURT: Thank you very much.

9 THE DEFENDANT: Thank you.

10 THE COURT: So is it's Dratel or Dratel?

11 MR. DRATEL: Dratel.

12 THE COURT: Thank you very much, Mr. Dratel. I'm
13 going to appoint you as CJA counsel for Ms. Alameddine. As
14 you've just heard, she needs to fill in the financial affidavit
15 by January 5; and if there's any paperwork that you need me to
16 sign in order to appoint you, please give it to me and I will
17 do so.

18 MR. DRATEL: Thank you.

19 THE COURT: Are you prepared to go forward at this
20 time with Ms. Alameddine's arraignment?

21 MR. DRATEL: Let me just ask her one question, your
22 Honor.

23 THE COURT: Thank you.

24 (Pause)

25 MR. DRATEL: Yes, we're prepared to go forward, your

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1 Honor.

2 THE COURT: Thank you very much.

3 So Ms. Alameddine, before we proceed I'm going to ask
4 you some questions. If you don't understand any of my
5 questions at any time, if you want to consult with Mr. Dratel
6 at any time, please just let me know. I will give you as much
7 time as you need to do that. It's important that you
8 understand each of these questions before you answer. They are
9 designed to allow me to understand your ability to knowingly,
10 intelligently respond to the questions that I'm going to ask
11 you later on with more, what I'll call, legal significance.

12 So first, Ms. Alameddine, tell me what your full name
13 is, please.

14 THE DEFENDANT: Karen Juanita Alameddine.

15 THE COURT: How old are you?

16 THE DEFENDANT: Fifty-seven.

17 THE COURT: Where were you born?

18 THE DEFENDANT: Detroit, Michigan.

19 THE COURT: Thank you. How far did you go in school?

20 THE DEFENDANT: I have an MBA in accounting.

21 THE COURT: Thank you. And can you just tell me
22 briefly your employment experience.

23 THE DEFENDANT: Mostly accounting. Assistant to a
24 comptrollers. Comptroller. I was finance director for one
25 organization.

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1 THE COURT: Are you currently or have you recently
2 been treated or hospitalized for any mental illness?

3 THE DEFENDANT: No.

4 THE COURT: Are you currently or have you recently
5 been under the care of a physician, psychiatrist, or
6 psychologist?

7 THE DEFENDANT: Yes.

8 THE COURT: Would you care to tell me something about
9 the nature of that treatment.

10 Let me just tell you I'm trying to get a sense of
11 whether or not that's going to impact your ability to
12 understand and participate in the proceedings today.

13 THE DEFENDANT: Just basically psychotherapy once a
14 week for anxiety and sometimes depression but, depression -- it
15 was mostly anxiety.

16 THE COURT: Is your mind clear today?

17 THE DEFENDANT: Yes.

18 THE COURT: Do you understand what's happening in
19 these proceedings?

20 THE DEFENDANT: Yes, your Honor.

21 THE COURT: And can I ask have you -- are you
22 currently or have you recently been hospitalized or treated for
23 drug addiction?

24 THE DEFENDANT: No, your Honor.

25 THE COURT: Within the last 24 hours have you used or

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1 taken any alcohol, drugs, or medication?

2 THE DEFENDANT: Just prescription medication. High
3 blood pressure.

4 THE COURT: Thank you. Generally do you understand
5 what's happening in the proceedings here today?

6 THE DEFENDANT: Correct. Yes.

7 THE COURT: Thank you. So let me know if at any time
8 you have any problems understanding what's happening. I'm
9 happy to take the time.

10 So Ms. Alameddine as I said earlier, I understand
11 you've already had an initial appearance before a magistrate
12 judge. He's informed you of certain of your rights. Because
13 of the importance of those rights, I'm going to review your
14 right to remain silent with you again here now.

15 You have the right to remain silent. You do not have
16 to say anything to anyone. If you give up that right and make
17 a statement, the prosecutor can use everything that you say
18 against you. Therefore, I strongly suggest that you not say
19 anything to unless you and your lawyer decide that it's in your
20 best interest to do so. If you've already given a statement,
21 you don't have to say anything else. If you decide to go ahead
22 and make a statement, you have the right to stop at any time.

23 Do you understand that?

24 THE DEFENDANT: Yes.

25 THE COURT: So, Mr. Dratel is now representing you in

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1 these proceedings. I just heard you said that you want him to
2 represent you. But do you wish him to continue to represent
3 you in these proceedings today?

4 THE DEFENDANT: Correct, yes.

5 THE COURT: So, Ms. Alameddine, have you seen a copy
6 of the indictment in this case?

7 THE DEFENDANT: Yes, I have, your Honor.

8 THE COURT: And Mr. Dratel, have you had an
9 opportunity to review the indictment and to discuss it with
10 Ms. Alameddine; and if not, I'd be happy to give you that time.

11 MR. DRATEL: I've discussed it with her. I haven't
12 actually seen the physical copy of it. So if I could just have
13 a moment. Mr. Okula is handing me a copy.

14 THE COURT: Thank you. Please take your time.

15 (Pause)

16 MR. DRATEL: Thank you, your Honor. I've had a chance
17 to review it.

18 Why don't you discuss it now with your client. Please
19 take your time.

20 (Pause)

21 Thank you, your Honor.

22 THE COURT: Have you now had an opportunity to both
23 review the indictment and to discuss it with your client?

24 MR. DRATEL: Yes, your Honor.

25 THE COURT: Mr. Okula would you please summarize the

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1 charges on which Ms. Alameddine is being arraigned today.

2 MR. OKULA: I'd be happy to, your Honor.

3 Count One charges a wire fraud scheme that existed
4 between approximately 2008 and 2014 pursuant to which the
5 defendant, as the comptroller of a not-for-profit organization
6 known as the Hereditary Disease Foundation located here in
7 Manhattan, she fraudulently embezzled and took by fraud in
8 excess of \$1.8 million of the Foundation's money.

9 She accomplished that, according to the indictment,
10 principally by disguising certain transfers in the books and
11 accounting records of the Foundation to make what were in
12 reality transfers to her own bank accounts be disguised as
13 transfers of monies to grant recipients.

14 The Hereditary Disease Foundation, among other things,
15 raises money through private donations and gives the bulk of it
16 away to grant recipients who do genetic research to try to cure
17 some of the gravest genetic diseases. That is Count One, your
18 Honor.

19 Count Two charges principally a money laundering
20 conspiracy pursuant to which the defendant engaged in financial
21 transactions after she transferred the \$1.8 million to her own
22 account at Bank of America and then on to other entities and
23 other bank accounts in order to do two things: One, foster her
24 tax evasion activity; that, she didn't report as income any of
25 the \$1.8 million she obtained and took by fraud; and two, in

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1 order to disguise and hide her underlying embezzlements, that's
2 why she effectuated the subsequent financial transactions. So
3 that is Count Two, the money laundering count.

4 Counts Three through Seven are tax evasion counts that
5 allege for the tax years 2009 through 2013 the defendant filed
6 income tax returns with the IRS, that she prepared and signed
7 under penalties of perjury, in which she falsely understated by
8 significant amounts what her total income was and, therefore,
9 what her tax deficiency or tax amounts due and owing were. The
10 essence of the tax evasion charge is that the defendant failed
11 to report the income she received pursuant to the fraud scheme
12 for each of the tax years 2009 through 2013.

13 That is the summary of the charges your Honor.

14 THE COURT: Thank you very much.

15 Now, Ms. Alameddine, you have the right for me to read
16 to you out loud the indictment. You also can waive that right.
17 So let me ask: Would you like for me to read the indictment
18 out loud to you now on the record?

19 THE DEFENDANT: No, your Honor. I waive it.

20 THE COURT: Counsel, do you waive the formal reading
21 of the indictment?

22 MR. DRATEL: Yes, your Honor. Thank you.

23 THE COURT: So let me ask you to stand now if you
24 would please, Ms. Alameddine.

25 Do you understand what you've been charged with?

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1 THE DEFENDANT: Yes, your Honor.

2 THE COURT: So Count One charges you with wire fraud.
3 How do you plead to that count?

4 THE DEFENDANT: Not guilty, your Honor.

5 THE COURT: Count Two charges you with money
6 laundering. How do you plead to that count?

7 THE DEFENDANT: Not guilty, your Honor.

8 THE COURT: Count Three charges you with tax evasion
9 for the year 2009. How do you plead to that count?

10 THE DEFENDANT: Not guilty.

11 THE COURT: Count Four charges you with tax evasion
12 for the year 2010. How do you plead to that count?

13 THE DEFENDANT: Not guilty, your Honor.

14 THE COURT: Count Five charges you with tax evasion
15 for the year 2011. How do you plead to that count?

16 THE DEFENDANT: Not guilty, Your Honor.

17 THE COURT: Count Six charges you with evasion for the
18 year 2012. How do you plead to that count?

19 THE DEFENDANT: Not guilty, your Honor.

20 THE COURT: Count Seven charges you with tax evasion
21 for the year 2013. How do you plead to that count?

22 THE DEFENDANT: Not guilty, your Honor.

23 THE COURT: Thank you very much, Ms. Alameddine. Your
24 pleas of not guilty are accepted.

25 You can be seated.

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1 THE DEFENDANT: Thank you.

2 THE COURT: So, Mr. Okula, can I turn to you and ask
3 you if you could just to briefly describe what evidence the
4 government expects to use in the course of prosecuting this
5 case.

6 MR. OKULA: Yes, your Honor. In addition to live
7 witnesses in the form of representatives from the Hereditary
8 Disease Foundation who will testify about the defendant's
9 application for a position as a comptroller, pursuant to which
10 she submitted a resume talking about her extensive experience
11 as a comptroller and extensive experience with accounting and
12 tax issues; and in addition to personnel from the Internal
13 Revenue Service who will testify about the defendant's filings
14 with the IRS for each of the tax years at issue pursuant to
15 which she filed tax returns, which she signed under penalty of
16 perjury, the evidence will come in principally, your Honor,
17 through various financial records. I can break them down in
18 various categories. First, there are records from the
19 Hereditary Disease Foundation in the form of their QuickBooks
20 records, their principal accounting software that they
21 employed, that show the disguised transfers that the defendant
22 engineered. We would also produce bank records from Bank of
23 America where Hereditary Disease Foundation principally kept
24 its accounts over which the defendant had virtually unfettered
25 control over the various accounting and the banking of the

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1 organization. We'll also produce bank records from a bank
2 account that the defendant herself opened up at that same bank,
3 Bank of America, into which she made the embezzled transfers.
4 We will further have bank records from a variety of different
5 financial institutions, principally ones west that the
6 defendant opened up and into which she transferred ultimately
7 the proceeds of her fraud scheme. So that in essence would be
8 the evidence that we would produce.

9 I have produced, your Honor -- as I indicated in our
10 application for a speedy trial exclusion, I indicated to the
11 Court that we intended to get a start, even before the
12 arraignment, on our gathering and production of the discovery.
13 And we've made some significant progress along those lines. I
14 handed to Mr. Dratel, the successor attorney, this afternoon,
15 prior to the formal arraignment, a disk containing over 6600
16 pages of discovery, consisting of the defendant's tax returns,
17 bank records, various productions of records made to us by the
18 victim in the case, the Hereditary Disease Foundation. So
19 we've gone a long way in producing what I would estimate, your
20 Honor, is about 75 to 90 percent of the documentary discovery
21 that we have to produce in this case.

22 THE COURT: Thank you. Can I ask how long you
23 anticipate, Mr. Okula, before you're able to complete
24 production of discovery?

25 MR. OKULA: I think, your Honor, I need 30 days to

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1 just make sure that I have every piece of paper out the door.
2 I also wish to confer with Mr. Dratel, because there are
3 certain items of physical discovery that were taken from the
4 defendant when she was arrested in Boston a couple weeks ago,
5 and initially taken into custody up there. I want to give
6 Mr. Dratel the opportunity to review the defendant's
7 belongings. There are various documents that were found on the
8 defendant, notes in her luggage when she consented to a search
9 of her luggage when she was initially taken into custody.
10 There are also the items of jewelry and the like, if Mr. Dratel
11 wishes to look at that in connection with any application for
12 return of property.

13 THE COURT: Thank you.

14 Mr. Dratel, the government is asking for 30 additional
15 days for production of discovery. Do you have a view on that
16 request?

17 MR. DRATEL: That sounds reasonable, your Honor.

18 I begin a trial January 5 here four or five, six weeks
19 at the outside. So given that the government will take 30 days
20 to complete discovery, will put us mid to late January. And my
21 trial will probably end beginning February. So if we could get
22 until maybe the first or second week of March for motions or --
23 if I don't feel ready to do motions based on what I see in
24 discovery, I will write to the Court probably by mid-February
25 but if we could set a time for maybe the second week of March

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1 for motions that would be useful, your Honor.

2 THE COURT: Thank you.

3 One more question before I set that.

4 Mr. Okula, can I ask: Do you anticipate any
5 additional defendants or superseding indictments in this case?

6 MR. OKULA: No, not currently. Certainly no
7 additional defendants, your Honor. We don't anticipate at the
8 current time either any significant changes in the indictment.
9 If we're going to proceed to trial, I can't absolutely rule out
10 that there would be some tweaking of what the current
11 indictment is, but there is no vision for some broader category
12 of charges to be included.

13 THE COURT: Thank you.

14 So, with that information in hand, Mr. Okula, can I
15 ask your view on defense counsel's proposal that I schedule us
16 for a status conference in the second week in March.

17 MR. OKULA: I think it's quite reasonable, your Honor,
18 and I would join in that application.

19 THE COURT: Thank you.

20 Mr. Daniels.

21 THE DEPUTY CLERK: Tuesday, March 10 at 2:30 in the
22 afternoon.

23 THE COURT: Does that work for counsel?

24 MR. DRATEL: Yes, your Honor.

25 MR. OKULA: Yes, your Honor.

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1 THE COURT: Good. Thank you.

2 So, let me ask you, Mr. Okula, are there any victims
3 under the CDRA?

4 MR. OKULA: There are, your Honor. The Hereditary
5 Disease Foundation is one. And the other is the United States
6 Department of Treasury in the form of the Internal Revenue
7 Service. Those are the two victims.

8 THE COURT: And with respect to the former, is there a
9 process in place to notify them of events and important dates
10 in this matter?

11 MR. OKULA: Yes, your Honor. We've been in constant
12 contact with the victim and they know about today's date and
13 they will be informed about the next date as well.

14 THE COURT: Thank you.

15 So I'm going to set March 10, 2015 as the date for our
16 next conference at 2:30 p.m.

17 Mr. Okula, Mr. Dratel, are there any other things that
18 we should discuss before we talk about Speedy Trial Act?

19 MR. DRATEL: Just if you give me one second, your
20 Honor.

21 THE COURT: Yes, Mr. Dratel. Please go ahead.

22 (Pause)

23 MR. DRATEL: Nothing, your Honor. Thank you.

24 THE COURT: Thank you very much.

25 So, Mr. Okula do you have an application with respect

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1 to the speedy trial clock?

2 MR. OKULA: We do, your Honor. Given the ongoing
3 discovery that the government is providing, in addition the
4 need for defense counsel to review the discovery, what we
5 anticipate to be ongoing dialogue between the government and
6 Mr. Dratel regarding possibly viewing some of the physical
7 discovery and the like, we most respectfully ask your Honor for
8 an exclusion of time under the speedy trial clock in the
9 interests of justice based on those factors until our next
10 appearance before your Honor on March 10.

11 THE COURT: Thank you very much.

12 Mr. Dratel.

13 MR. DRATEL: No objection, your Honor.

14 THE COURT: So with that, I'm going to exclude time
15 from today until March 10, 2015. I find that the ends of
16 justice served by excluding such time outweigh the interests of
17 the public and the defendant in a speedy trial because it will
18 allow defense counsel the opportunity to review that discovery
19 that the government will be producing during that time and will
20 allow the parties to consider whether or not there is a
21 potential disposition of this case in lieu of trial.

22 Good. So is there anything else that we should
23 discuss?

24 MR. DRATEL: I don't think so, your Honor.

25 MR. OKULA: No, your Honor.

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1 We're just assuming the magistrate judge in Boston and
2 Judge Maas, after considering various factors, granted the
3 government's application for detention. We're assuming -- we
4 most respectfully ask that that status be continued, subject to
5 any application, of course, in the future.

6 THE COURT: Thank you. And I will continue the
7 current status subject to any application that, Mr. Dratel, you
8 wish to make on behalf of your client. I assume that you
9 didn't want to do that now.

10 MR. DRATEL: I'm not consenting but I understand the
11 current status. If we do want to make an application, we'll
12 alert the Court and Mr. Okula and present something in writing.

13 THE COURT: Please do. I look forward to it. Thank
14 you very much.

15 (Adjourned)